

DIVISION OF SECURITIES  
KEITH WOODWELL, DIRECTOR  
DEPARTMENT OF COMMERCE  
P.O. BOX 146741  
160 EAST 300 SOUTH  
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BEFORE THE DIVISION OF SECURITIES  
OF THE DEPARTMENT OF COMMERCE  
OF THE STATE OF UTAH

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IN THE MATTER OF J.D. PULVER

**RECORD OF PROCEEDING TO DATE**

**SCHEDULING ORDER**

**CASE NO. SD-06-0058**

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**BY THE PRESIDING OFFICER:**

On August 21, 2006, the notice of agency action and order to show cause in this matter were filed by the Utah Division of Securities (Division) against J.D. Pulver (Respondent). On June 20, 2007, the Director of the Division (Director) entered a default order against Respondent on a finding that he had failed to file an answer as required. On July 3, 2007, Respondent requested that the default be set aside. The Director found that Respondent's motion failed to set forth a proper legal basis to set aside the default; however, rather than deny the motion, the Director gave Respondent until October 17, 2007 to file a proper response to the notice of agency action. The Director also set a hearing date of October 19, 2007 to address the question of whether the default should be set aside.

On October 16, 2007, Respondent filed his answer with the Division as required. On October 19, 2007, the Director made multiple attempts to contact Respondent by telephone for the hearing, but was unable to reach him for the proceeding as scheduled. Nevertheless, pursuant to a subsequent conversation with Respondent, the Director issued an order on October 22, 2007 setting aside the default order and establishing certain deadlines, including a December 28, 2007 deadline for filing any prehearing motions.

On December 28, 2007, Respondent filed a motion to dismiss the proceeding or, alternatively, a motion for summary judgment. On January 10, 2008, the Division filed a motion to strike Respondent's motions, asserting that the motion to dismiss was not timely filed and that the motion for summary judgment failed to comply with the rules governing the form and substance of such a motion. Respondent did not file a response to the Division's motion to strike. It does not appear from the record that Respondent was ever notified of his obligation to do so or given a deadline by which a response would be required. It appears that the Division lost contact with Respondent at about this time. Respondent has made no attempts to contact the Division or to monitor the case.

On or about April 16, 2012, the Division attempted to obtain contact information for Respondent. Using a nationwide white-collar crime database, the Division obtained an address of 11120 Lakeside Vista Drive, Riverview, FL 33569-2919 and telephone numbers of (407) 668-9595 and (813) 719-6507. The Division has placed calls to both telephone numbers, but has been unsuccessful in contacting Respondent.

In an attempt to move this case to a reasonable conclusion while affording Respondent due process and a fair opportunity to defend himself as a pro se litigant, the presiding officer now enters the following scheduling order.

**SCHEDULING ORDER**

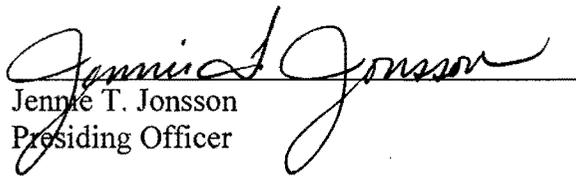
1. Respondent shall respond to the Division's motion to strike by August 2, 2012.
2. The deadline by which the Division shall reply to any response filed by Respondent is August 9, 2012.
3. A telephonic prehearing conference shall be conducted on Friday August 10, 2012 at 9:00 A.M. Mountain Daylight Time. On that date and at that time, the presiding officer will attempt to contact Respondent at the telephone numbers recited above unless Respondent contacts the presiding officer in advance of the prehearing conference at (801) 530-6706 to provide updated contact information. In making himself available for the prehearing conference, Respondent shall bear the responsibility of accounting for the fact that he does not live in the Mountain Daylight Time Zone.
4. The hearing in this matter shall take place before the Utah Securities Commission on November 29, 2012 at 9:00 A.M.

All deadlines outlined herein shall be strictly enforced. Failure of the Respondent to comply with a deadline or to appear at a proceeding shall constitute grounds for entry of default without further notice or proceedings.

This order shall be effective on the signature date below.

DATED this 19<sup>th</sup> day of July, 2012.

UTAH DEPARTMENT OF COMMERCE

  
Jennie T. Jonsson  
Presiding Officer

CERTIFICATE OF DELIVERY

I hereby certify that on the 19<sup>th</sup> day of July, 2012, the undersigned mailed a true and correct copy of the foregoing document by first class mail, postage prepaid, to:

J.D. Pulver  
11120 Lakeside Vista Drive  
Riverview, FL 33569-2919

J.D. Pulver  
11705 Boyette Road, #437  
Riverview, FL 33569

and caused a copy to be hand delivered to:

D. Scott Davis  
Assistant Attorney General  
160 East 300 South, Fifth Floor  
Salt Lake City, UT 84114

A handwritten signature in black ink, appearing to read "J. J. Johnson", with a long horizontal flourish extending to the right.